THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.18598 of 2006

DATED 08.09.2006

Between:

T.Balanagamani and ten others. .. PETITIONERS

Versus

Municipal Corporation of Rajahmandry,
represented by its Commissioner,
Rajahmandry, East Godavari District. .. RESPONDENTS

WRIT PETITION NO.18598 of 2006

ORDER:

Heard the learned counsel.

2. The Writ Petition is filed praying for a Writ of Mandamus declaring the proposed impugned action of the respondent in demolishing the structures of the petitioners in respect of the schedule properties in 54 sq.yards, 7th ward, T.S.No.30/P, Fortgate, old door No.7/95, T.S.No.10-7-20; sq.116 s.q. yards, T.S.No.30/P, Fortgate, old door No.7/95, T.S.No.10-7-20; 140 sq.yards, T.S.No.30/P, Fortgate, old door No.7/95, T.S.No.10-7-20; 40 sq.yards, T.S.No.30/P, Fortgate, old door No.7//95, T.S.No.10-7-20; 162 sq.yards T.S.No.146, New door No.10-13-7 and 145.10 sq.yards T.S.Nos.147 and 148, T.S.No.10-13-10, door No.10-13-9 respectively as illegal, arbitrary and violative of principles of natural justice and contrary to law and for a consequential order directing the respondent not to proceed with the proposed impugned demolition of constructions of the petitioners in the above schedule properties and pass such other suitable orders.

3. Sri A.Vishnuvardhan Reddy, learned Standing Counsel representing the respondent-Corporation, states that on apprehension the Writ Petition is filed. The same is recorded.

4. In view of the facts and circumstances mentioned in the affidavit filed in support of the Writ Petition, it is needless to say that before proceeding with the demolition activity, the respondent is bound to follow due process of law.

5. In view of the same, the Writ Petition is disposed of directing the

respondent not to resort to demolition activity of the subject matter of the Writ Petition except by following due process of law. No costs.

08.09.2006

SSR
Issue order copy by Monday.
(BO)